

Notice of Allowability

Application No.

10/718,341

Applicant(s)

MA ET AL.

Examiner

Art Unit

Dismery E. Mercedes

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 2/9/2007.
2. ☒ The allowed claim(s) is/are 46-47, 49-50, 52-54, 56-57 (renumbered 1-9).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Eggers (Reg.No. 56,343) on March 30, 2007.

The application has been amended as follows:

Claim 49 has been amended to: The method of claim 46, wherein the first evaluation parameter is a position error signal.

Claim 50 has been amended to: The method of claim 46, wherein the second evaluation parameter is fly height.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

1. Claims 46-47,49-50,52-54,56-57 allowed.

Independent Claim 46 is allowable over the prior art of record since the cited references taken alone or in combination do not teach or suggest: *when the first evaluation parameter exceeds the first predetermined level, moving the read head to a cleaning position and then back to the first position; when the value of the first evaluation parameter does not exceed the first predetermined level, positioning the read head to a second position over a reserved track, and comparing a value of a second evaluation parameter to a second predetermined level;*

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and when the value of the second evaluation parameter exceeds the second predetermined level, moving the read head to a park position and generating an error signal.

Independent Claim 56 is allowable over the prior art of record since the cited references taken alone or in combination do not teach or suggest: *evaluating a first parameter; when the first parameter is evaluated at an abnormal level, moving the read head to a cleaning position and then back to the loading track; when the first parameter is evaluated at a normal level, moving the read head to a reserved track of the removable magnetic disk and evaluating a second parameter; and when the second parameter is evaluated above a predetermined threshold, moving the read head to the park position and generating an error condition.*

Independent Claim 57 is allowable over the prior art of record since the cited references taken alone or in combination do not teach or suggest: *evaluating at least two parameters including a position error signal, a servo automatic gain control, and information from a finite impulse response filter; when at least one of the at least two parameters is evaluated at an abnormal level, moving the read head to a cleaning position and then back to the loading track; when the at least two parameters are evaluated at a normal level, moving the read head to a reserved track on a radially inner portion of the removeable magnetic disk and calculating a soft error rate; and when the calculated soft error rate is above a predetermined threshold, moving the read head to the park position and generating an error condition.*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Nagai et al. (US 6,687,071); Gong et al. (US 6,683,737); Novotny et al. (US 6,577,575); Olson (US 7,196,859); Anderson (US 6,215,618); Gill et al. (US 6,469,854); Inaba (US 6,411,083); Ottesen et al. (US 6,097,559); McNeil et al. (US 5,850,321).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dismery E. Mercedes whose telephone number is 571-272-7558. The examiner can normally be reached on Monday - Friday, from 9:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



DM



ANDREA WELLINGTON
SUPERVISORY PATENT EXAMINER